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Washington, D. C., Sunday, April 27, 1913.

THE "CONFISCATION" BUGABOO.

To get an idea of how wonderful an instrument is the Constitution one must read the legal documents called forth by the litigation over so innocent a law as that which, recently passed, commanded the exchange of transfers between the street railway companies and the Sixteenth street herdic line. We learn that this law is unconstitutional on half a dozen grounds, the chief of which, stated in various ways, is that it would take the property of the railway companies for public use without compensation. This is the oldest and, even today, the most effective of all the arguments against public regulation of public utilities.

From the beginnings of constitutional government precedents to sustain this theory have been piling up. Whenever government attempts to compel a public utility to do something the utility doesn't want to do, the utility pleads that it is having its property "confiscated." In the street car situation in this town the public authorities have for many years hesitated to attempt enforcement of universal transfers, for fear the matter would be carried into the courts and a decision secured that universal transfers are unconstitutional for this reason. In connection with the herdic line's transfer law it is intimated that the new Public Utilities Commission hesitates to force matters to a conclusion, lest this decision be reached.

Of course, this "confiscation" is merely constructive, not actual and menacing. The Capital Traction Company isn't in any real fear of having its property taken away from it if it issues transfers. It merely objects to doing anything at all on anybody's initiative save its own. It depends, as public utilities have depended for two generations past, on the tenuous constructions of this "confiscation" provision, to maintain it as a private instead of a public institution. How senseless is this contention may easily be illustrated.

It has been quite a hobby with public utility officers of recent years to insist that this town would be better off if it had one street car system instead of two. They all concede that consolidation would bring universal transfers automatically. Now let that "confiscation" proposition be analyzed.

Suppose each company has 100 miles of track, worth \$10,000,000. It would be "confiscation" to compel them to exchange transfers.

But suppose they are consolidated, and a new corporation, with \$20,000,000 capital, takes over both systems. Then there will be the same 200 miles of road as before: the same \$20,000,000 of capital as before; the same number of people to ride; the same number of cars to run. Yet, simply because that \$20,000,000 capital is all in one pile instead of two piles we discover that the thing which yesterday was "confiscation" today is good business, a plain matter-of-fact incident to running the property!

It would cost no more to have transfers between the two companies than between the various lines of one greater company.

If universal transfers meant, on the day before that consolidation, confiscation of property, it would mean the same thing on the day afterward.

The question is not concerned with diversity or unity of ownership. Would the present stockholders and bondholders of the street car companies have their property or their profits taken away from them by the universal transfer requirement? Everybody knows they would not. They would gladly grant universal transfers if they were consolidated. There would be no talk about confiscation in that case; there would be no confiscation in any case.

The truth about this universal transfer matter is as plain as day. The traction people are going to fight universal transfers to the last ditch and beat it if they can. Why?

Go back now to our illustration of the two companies with 100 miles of track and \$10,000,000 capital each. The people who control those companies know that the natural, logical development of the town's transportation system dictates consolidation. They know that just as well as the public knows it. They want consolidation because it means more profits, greater values.

But they want to have consolidation forced upon them. They want the public to insist upon it. They know that the one thing that will move the public more than anything else to insist is the prospect of getting universal transfers.

When the public gets ready to enforce its wish the railroad companies expect to get something out of it. They will insist on carving a melon. Instead of putting their 200 miles of track and \$20,000,000 capital into one pot, they will demand the privilege of issuing an extra \$10,000,000 of capital to themselves. That will be their rake-off. It will be the prize, the bribe money, that the public will give them—if it is fool enough to stand the touch—in consideration of getting universal transfers.

Follow this thing still farther, now, and observe how ridiculous is the "confiscation" plea. The two systems, consolidated, will be worth \$30,000,000 instead of \$20,000,000. That is, \$10,000,000 will be added to their value BY REASON OF HAVING UNIVERSAL TRANSFER CONFISCATION IMPOSED UPON THEM!

What could be more ridiculous than that? Yet it is precisely the destiny of this street car situation in Washington. A court which today holds that universal transfers is "confiscation" will be putting the club into the hands of the street railway financiers, with which they will be able to force the public to let them pile on another bunch of millions

in capitalization as the price of getting universal transfers through consolidation.

The "confiscation" boot, in that event, of course, will be on the other leg; the public will be its victim, for it will have to put up the money that will enable the consolidated concern to earn returns on its added millions of capital.

What a patient ass is the public, to be sure! Some day there will be a sweeping revision of the adjudications that have permitted constructive "confiscation" to be made a ground for defeating the public rights without any proof of actual confiscation. If it does not come through the broadened vision of the courts, then it will come through amendment of the Constitution or through public ownership of all such facilities.

The illustration that has been used here is drawn from common experience with the financing of public utility concerns. Moreover, it is precisely what the Washington Utilities Company proposes. That company intends to bring all the public utility concerns of the town together—if its plans don't go wrong—and to issue a vastly increased capitalization against them. The public is asked to consent to this, in consideration of the possibility that it will get universal transfers!

The herdic transfer affair is merely an incident. There is no good reason why the public authorities should hesitate to try that case clear down to a final decision of the transfer question. What is to be lost by it? We haven't universal transfers now. To lose them by a court decision would only be to lose something we don't enjoy and never did. Why not find out where the community stands?

GOVERNOR SULZER'S STAND.

There could hardly be better proof that the popular primary is ruin to the political boss than is found in the long fight of the New York machines to prevent its adoption. In this struggle they have known no politics. Barnes and Murphy, the Republican Old Guard and Tammany, the Black Horse Cavalry and the up-State allies of the Wigwag, have stood together in a fraternity of frenzied opposition. They have been horrified at the very thought of the people naming their own candidates.

Hughes brought the issue squarely before the State, fought on it, and lost. He lost, but he made the issue so big that it has commanded attention ever since. Dix, of course, was putty in the hands of the politicians. There never was a chance for accomplishment under him.

Sulzer, addressing a gathering of the Democratic county chairmen, told them flatly that whoever was not with him was against him. He makes this issue a test of Democracy. He appeals to Republicans, Progressives, Democrats, and independents to stand with him for the bill he has endorsed. He declares that he knows the game and how to play it as well as anybody else, and serves notice that there will be no hesitation about using every means necessary to get effective primary legislation.

There is inspiration in the tone and manner of the governor. The State is with him, and in the end he is going to win. The time is come when the people recognize, as they did not in earlier stages of this fight, that the fight for popular government has its crux in this question of control of the nominations. So long as the bi-partisan machine, the invisible government, can dictate nominations on both sides, and so long as there is nothing for the voter to do but take his choice between two machine-made tickets, popular government is a farce and a fraud.

WILSON TO NEW JERSEY.

There isn't much chance nowadays for people who worry about precedents and traditions. These are viewing with alarm the invasion of New Jersey this week by Woodrow Wilson, in an effort to arouse public sentiment to the point where it can force the legislature to pass the jury reform legislation.

But the public is more interested in the measure than in the manner. That bill ought to pass. Its defeat is inexcusable. The old Jersey method of jury drawing makes the jury system a mockery and a fake.

If President Wilson can force passage of such a measure by intruding his national prestige into New Jersey, power to his elbow. May he do a lot of elbowing in behalf of good causes!

A TEST FOR CALIFORNIA.

California has one of the most sweeping codes for the employment of the initiative, referendum, and recall.

Nobody in this part of the world seriously believes that the real people of California sympathize with the jingo antics that the legislature of that State cuts up from time to time over the Chinese and Japanese issue.

Why not let the legislature pass the alien-ownership law and then submit it to a vote, under the referendum, and find out whether the people of California want to make themselves and their State a nuisance and a menace to the Union?

If it should turn out that they do—which is quite believable—then the National Government would have useful data upon which to base procedure to curb their troublesomeness.

"Soo" Is Champion Canal.

More than 72,000,000 tons of freight passed through the Soo. Marie Canal during the season of 1912. Traffic through that waterway has doubled in two years, and still is increasing. At the height of the season 124 vessels passed through the canal in twenty-four hours—a ship every twelve minutes, day and night.

The "Soo" carries more freight than all other ship canals of the world. Suez figures for 1912 are not available, but they will be under 30,000,000 tons. Manchester and Kiel together may reach 12,000,000 or 15,000,000 tons. By comparison with these other ship canals are negligible.

Suez carries and Panama will carry more valuable freight than that which goes through the "Soo." But it is doubtful if anyone now alive will see the two great ocean ditches carry as great a bulk of traffic as now moves through the humble fresh water channel between our inland seas.—Newark Star.

Busy Snake.

"A drummer entered a Nola Chucky drug store one day and said: 'Are there any rattlesnakes around here?' 'Yes, stranger,' said the drug clerk, 'there's one, but he won't be any use to you, for he's booked up full for the next five weeks.'—Exchange.

BOY BOOSTERS OF WEST IN CAPITAL

Californians Are on Tour of Churches of Capital Unite in Petition for Welfare of New Republic.

Fifty boys, all of whom are athletes, most of whom are musicians, and all more or less models of behavior, at least while on this trip, arrived in Washington yesterday under the charge of Major Sidney S. Pixotto, of the California National Guard. The boys are on their way around the world as a portion of their education and training. Those who hail from San Francisco are doing all they can do to boost the Panama-Pacific Exposition.

Contrary to popular impression, the boys are not members of the Boy Scout organization of America. Some scouts may be in the party, but the party itself is a portion of no organization. They are making the trip as an educational experience. A portion of the boys will live in the international boys' city which will be featured at the Panama-Pacific exposition.

Give Concert to Ellipse. Yesterday afternoon shortly after they arrived the boys gave a concert on the ellipse back of the White House. The president was not there to enjoy the serenade, but hundreds of Washingtonians stopped to head the concert. The band is really a feature.

Tomorrow afternoon the whole party will be received at the White House, where they will be presented with a United States flag by President Wilson. Today they are seeing the sights of the city, although the rain of the early portion of their trip kept them in their rooms in the Metropolitan Hotel.

Thirty-five of the boys, who form the nucleus of the party, are from San Francisco, and they form the boosters club for the Panama-Pacific Exposition. In every city they stop this boosters club invites boys to come to the exposition and live in the model boys' city which will be featured at the exposition. It is expected that several hundred boys, not only from the United States but also from abroad, will be persuaded to come.

On Trip Around World.

The boys are making their way leisurely around the world and will stop at all the principal cities along their route to study them. The trip is made under the auspices of the national youth achievement committee which plans the stops and provides the guides and heads of the party. The boys pay their own expenses.

The Boys' Club of the Panama-Pacific Exposition will be furnished entirely by the exposition authorities and will be run by the boys just as if it were a permanent municipality. The model school along achievement lines will be a feature of the exposition.

The party will leave Washington tomorrow night for Philadelphia and will arrive there about 10 o'clock. From there they will go to New York, where they will stay the first week in May. The party will sail for England May 7.

DENIES SHORTAGE OF MEN IN FLEET

Rear Admiral Cone Says No Occasion Exists for Alarm About Unpreparedness.

"There is no great shortage of men or of supplies on the North Atlantic fleet, or any of the other fleets, so far as I know," said Rear Admiral H. C. Cone, chief of the Bureau of Steam Engineering of the Navy Department, today.

"There is no occasion for any alarm regarding the unpreparedness of the battlefleets of the American navy for war," he continued. "While I am not directly in touch with questions of personnel on the fleet, I know that naval officers at the present time are not unduly concerned over the conditions of our ships."

This statement was called forth by statements appearing today, signed by John Temple Graves, that the navy is in such a poor condition regarding personnel and equipment that it would be almost helpless before a sudden attack from the Japanese navy.

Naval critics say the only possible basis for the criticism is the fact that there is a tendency on the part of the Navy Department to place more and more vessels on the reserve list. This is done for economy's sake, and, in the belief of many naval officers, is being carried too far.

That there is a more or less permanent shortage of men aboard the battlefleets of the North Atlantic fleet is not denied. There has been great difficulty experienced in obtaining enlistments in the past few years. Congress has been none too liberal in providing for increases in personnel commensurate with the development of battleship strength.

"It's merely a question of arithmetic," said Commander Reginald R. Bellnap, assistant chief of the Bureau of Navigation, today.

"We have repeatedly told Congress that we need \$2,000,000 more to man our ships. Who now don't get these men we have to do the best we can."

Suit Filed to Get \$10,000 of Estate

A dispatch from Cincinnati announces the filing of a suit there to recover certain stocks and bonds held by Miss Ida M. Hainstock, widow of Mrs. Mary L. Hainstock, of this city. Mrs. Hainstock is the wife of George M. Shafer, lives at 1527 First street northeast. The stocks and bonds, which amount to about \$10,000, are said to have been left to Mrs. Shafer by the will of a sister, Mrs. Luella Dandy, who died here last November.

Fell From Street Car.

Edward F. Scarborough, of 907 H street northwest, was found at Ninth street and West Virginia avenue northeast, early today with several cuts on his face and head. He refused hospital treatment, and explained that he fell from a car at Fourth and G streets northwest.

CHRISTIAN PRAYERS OFFERED FOR CHINA

All over the United States today and especially in the District of Columbia, prayers will lead their congregations in prayer for the welfare of the new Chinese republic. Such prayer is the outcome of the request made by President Yuan Shai Kai, of the Chinese republic, to Secretary of State Bryan. Immediately upon receipt of the request, the United States will offer such prayer.

The request for Christian prayer for the welfare of China, coming from the head of the Chinese nation, is looked upon by Washington ministers as most significant. Request Gladly Obeyed. Because China has been the chief field for missionary work since the beginning of American missionary effort, and because the request from President Yuan Shai Kai shows that the work has met with signal success, the ministers of Washington and of the whole United States will gladly unite in prayer for the Chinese commonwealth, which met last week, President Yuan Shai Kai, and the welfare of the whole nation.

Bishop Harding, of the Episcopal church of Washington, has issued an order that every Episcopal minister in the District offer up a special prayer for the welfare of China, and the heads of other denominations have not been less forward in accepting the invitation to lend their spiritual aid to the Christians in the straggling of Bhuddism.

During the 4 o'clock services in Bethlehem Chapel this afternoon an organ recital will be given by Rowland W. Dunham. A. A. G. O. organist and choirmaster of St. Andrew's Church. The organ soloists in D flat, No. 12, by Rheinberger, will be played complete. Other numbers to be rendered are: "Cantabile," Caesar Franck; "Poco Adagio," Henry Smart, and the brilliant Concert Etude in B flat No. 1, by George E. Whiting.

General Grant's Anniversary. The ninety-first anniversary of the birth of Gen. U. S. Grant will be celebrated tonight in Metropolitan Memorial M. E. Church by the Grand Army of the Republic of Washington and other patriotic organizations. Justice George W. Atkinson, of the United States Court of Claims, and the Rev. James Shera Montgomery, pastor of the church, will deliver the address. The Rev. J. H. Porter, Elder L. H. Evans will lead the Astatic delegation, and Elder J. C. Fulton will lead the delegation from Australia and the Pacific islands.

The delegates will be housed in a camp in Takoma Park, which is now being prepared by a corps of ministers from different parts of the United States, missionaries from foreign lands, and students who expect to become ministers and missionaries. Elder A. G. Daniels, president of the general conference, is taking an active part in the preparations for the entertainment of the delegates.

The conference will be held on the campus of the Washington Foreign Mission Seminary, which is conducted by the denomination. The grounds now have the appearance of a tented city, with old tents to be used as temporary homes for the delegates, already pitched.

One of the problems to be discussed during the sessions is that of increasing the missionary forces. The head of the seminary, which is conducted by the denomination, will be shown into the great divisions so as to systematize the work which the denomination has laid out for itself.

Passover Services End. Passover celebrations will be observed in the Hebrew churches of the District tonight at 7 o'clock. The services will mark the end of the most joyous season in the Hebrew calendar commemorative of the flight of the Children of Israel from bondage in Egypt.

The second of a two-weeks' mission began last Sunday in St. Matthew's Church will begin today when the men of the congregation will attend the mission. The mission last week was exclusively for women and children, while Fleming and Scully are conducting the mission.

Dr. James Hugh Keeler will be the principal speaker before the Secular church of Washington and the Rev. J. H. Porter, Elder L. H. Evans will lead the Astatic delegation, and Elder J. C. Fulton will lead the delegation from Australia and the Pacific islands.

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Evening Services in the Churches

"SERVICE AND RANK"—The Rev. C. Herbert Reese, St. Thomas' Church, 8 p. m.
"PRAYERS FOR CHINA"—The Rev. J. Milton Waldron, Shiloh Baptist Church, 3:30 p. m.
"REFUGE FROM THE STORM"—Evangelist I. F. Hoskins, Washington Temple Congregation, 3 p. m.
"U. S. GRANT'S BIRTHDAY ANNIVERSARY"—The Rev. James Shera Montgomery, Metropolitan M. E. Church, 8 p. m.
"J. PIERPONT MORGAN'S CONFESSION OF FAITH"—The Rev. R. H. McKim, Church of the Epiphany, 8 p. m.
"SOME RESPECTABLE SINS, ENVY"—The Rev. Charles Wood, Church of the Covenant, 8 p. m.
"EQUIPPED FOR LIFE'S BATTLE"—The Rev. H. E. Brundage, Eckington Presbyterian Church, 7:30 p. m.
"PROPHET AND ASS"—The Rev. J. J. Muir, Temple Baptist Church, 7:45 p. m.
"HOW I WAS VEXED IN VIRGINIA"—The Rev. E. Her Swen, Centennial Baptist Church, 8 p. m.
"VITAL TRUTHS AS TAUGHT BY CLASSICAL AND MODERN AUTHORS"—The Rev. W. R. Wedderburn, Foundry M. E. Church, 8 p. m.
"GUARDING THE HEADQUARTERS OF LIFE"—The Rev. Joseph M. M. Gray, Hamline M. E. Church, 8 p. m.
"METHODIST LOVE FEAST"—The Rev. L. Morgan Chambers, McKendree M. E. Church, 3:30 p. m.
"THE GREATNESS AND GLORY OF JESUS CHRIST"—The Rev. Andrew Burns Chalmers, First Congregational Church, 8 p. m.
"THE WOMEN OF INDIA"—Mrs. George H. McGrew, Y. W. C. A. vespers services, 4:30 p. m.
"EVANGELICAL REVIVAL"—Sophie the Scrubwoman, Gospel Mission, 8 p. m.
"AMENDING THE DIVORCE LAWS"—The Rev. James Hugh Keeler, Secular League, 3 p. m.
"ENVIRONMENT, WHERE DO YOU LIVE?"—The Rev. Hermon S. Plinkham, Immanuel Church, 8 p. m.
"THE HOLY LAND"—Illustrated lecture by the Rev. R. M. Strickler, Columbia Church, 8 p. m.
"SPIRITUAL SURGERY"—The Rev. Hugh T. Stevenson, Bethany Church, 8 p. m.

HOST OF ADVENTISTS RECEPTIONS HELD FOR LAUREL PASTOR

Several Thousand Delegates, Return of Rev. J. H. Jeffries for Another Year Celebrated by Methodist Church.

LAUREL, Md., April 27.—A public reception was tendered the Rev. J. H. Jeffries, pastor of the Centenary Methodist Church here Friday evening, on his return to the church for another year. Music was furnished by the Laurel Military Band. Addresses were made by teachers and others, to which the Rev. Mr. Jeffries responded. Refreshments were served.

The committee having in charge the unveiling of the memorial window at Trinity Methodist Church next Sunday, has arranged an interesting program. The design on the window will be an open Bible, two American flags crossed, and the inscribed reading matter, "In Memory of Deceased Members of Beacon Council No. 23 under Order Unit—United American Mechanics and Allied Trades, Local No. 1, 1912-1913." Mr. F. Brown, a merchant, has appealed the fine of \$100 for selling cigarettes without a license.

Mr. Charles F. Shaffer, who has been ill for a month, is considerably improved. A meeting of the mayor and city council will be held tomorrow evening to discuss sewerage for Laurel.

The design on the window will be an open Bible, two American flags crossed, and the inscribed reading matter, "In Memory of Deceased Members of Beacon Council No. 23 under Order Unit—United American Mechanics and Allied Trades, Local No. 1, 1912-1913." Mr. F. Brown, a merchant, has appealed the fine of \$100 for selling cigarettes without a license.

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MILLION TO CHURCH, NOTHING TO MOTHER

Wealthy Young Missionary Cuts Off Family to Aid Evangelist Work.

CHICAGO, April 27.—Almost the entire estate of \$1,000,000 of William Chittes Borden, the young missionary who died in Cairo, Egypt, on April 5, is left to foreign missionary work, according to the terms of his will, filed for probate here.

His personal belongings and household goods were bequeathed to a brother. Mrs. Mary Borden, mother of the dead missionary, and his sister, living in 60 East Fifty-fifth street, New York, receive nothing. The largest bequest is that of \$250,000 to the China Inland Mission, Germantown, Philadelphia, \$100,000 of which is to be invested, the income to be used for the maintenance of Chinese and Christian missionaries and mission workers.

Missionary Beneficiaries. The other institutions, beneficiaries under the will, are: Chicago Avenue Church, \$100,000 for physical equipment; National Bible Institute, New York, \$100,000 as trust fund, also the property known as the Y. M. C. A. property in New Haven; Chicago Hebrew Mission, \$100,000; Chicago Tract Society, \$100,000; American Bible Society, New York, \$25,000; Board of Foreign Missions of the Presbyterian Church, New York, \$50,000 to be used for evangelistic work, preferably in Latin America, Asia, Africa, and Oceania; Board of Foreign Missions of the United Presbyterian Church of North America, Philadelphia, \$50,000 for evangelistic work; Board of Christian Missions of the Presbyterian Church of the United States, known as the Southern Presbyterian Board of Christian Missions, \$50,000 for evangelistic work in Japan, Africa, Asia, and Oceania; Africa Inland Mission, Philadelphia, \$50,000; and the American Bible Society, \$50,000.

Executor Gets \$5,000. A bequest of \$5,000 was made to Alfred E. Spink, appointed executor in the will. The estate consists of \$1,000,000 in real and personal property, and the executor was empowered to make all necessary sales and partitions to comply with the terms of the will.

Residents of the eastern part of the State are urging the appointment to the Board of Education of the Rev. E. H. G. M. Cummings, pastor of the Garden Memorial Presbyterian Church. A vacancy exists on the board, owing to the resignation as a member, as well as an officer, of Capt. James F. Oyster.

The Rev. Mr. Cummings formerly was moderator of the Washington Presbyterian. He is a graduate of Princeton. A petition asking for this change of the board was filed with the board. The petition states that on November 16, 1910, the incorporators executed a certificate for the Capital Cemetery, setting forth the names of the trustees, including Mr. Depew, should manage the institution the first year. In December, 1911, the board of trustees, including Mr. Depew, should manage the institution the first year that he had been named, and protested against the unauthorized use of his name.

Former Senator Chauncey M. Depew wants his name stricken from the Prince George county papers of incorporation of the Capital Cemetery. He has filed in the circuit court of Upper Marlboro, Prince George county, Md., a petition asking for this change. The petition states that on November 16, 1910, the incorporators executed a certificate for the Capital Cemetery, setting forth the names of the trustees, including Mr. Depew, should manage the institution the first year. In December, 1911, the board of trustees, including Mr. Depew, should manage the institution the first year that he had been named, and protested against the unauthorized use of his name.

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